

IK-110.3 C

Rule 132 Affidavit No. 1—Re: Office action of July 2, 2004  
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DEC 02 2004

APPLICANT(S):	Petros Tsipouras	GROUP ART UNIT:	1631
APPLICATION SERIAL NO.:	10/091,360	EXAMINER:	CLOW, LORI A. Tel.: 571-272-0715
FILING DATE:	March 4, 2002	ATTORNEY DOCKET NO.:	IK-110.3
TITLE OF APPLICATION:	METHOD AND SYSTEM FOR COMPUTER CONTROLLED RARE CELL, INCLUDING PETAL CELL, BASED DIAGNOSIS.		

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this paper is transcribed to Facsimile No. (703) 308-4242 of Group Art Unit 1631, addressed to the Commissioner for Patents, Alexandria, Virginia 22313-1450.

Hans-Peter Hoffmann  
(Type or Print Name of Mailer)

Dec 2  
Date: November, 2004

[Signature]  
(Signature of Mailer)

**MAIL STOP: AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION #1 OF P. TSIPOURAS AND T.P. TAFAS UNDER RULE 132****IN TRAVERSE OF CLAIM REJECTION MAILED JULY 2, 2004**

SIR:

This declaration is submitted pursuant to 37 CFR 1.132 in response to Office action mailed on July 2, 2004. This affidavit is in support of a corresponding amendment.

Reconsideration of the rejection of the Claims 1-4, 19-22, and 37 under 35 USC 102 (e) as being anticipated by US 6136540 (Tsipouras, *et al.*) (hereinafter: '540 reference) is respectfully requested.

It is averred herein in traverse of the rejection that any invention disclosed but not claimed in the '540 reference was derived from the inventive entity of this application.

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Page 2 of 2

The reference invention is therefore not made by another as provided by the statute under which the claims were rejected.

This Affidavit is deemed submitted timely prior to a final rejection of the above - identified patent application. The named inventors of the '540 reference, Petros Tsipouras and Triantafyllos P. Tafas are also the named inventors of the above-identified patent application.

We, Petros Tsipouras and Triantafyllos P. Tafas, hereby declare that all statements herein of our own knowledge are true, and that all statements based on information and belief are believed to be true ; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,

Date: November 30, 2004  
Petros Tsipouras, MDDate: November 30, 2004  
Triantafyllos P. Tafas, Ph. D.

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IK-110.3 (C)

Rule 132 Affidavit No.2 - Re: Office action of July 2, 2004  
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Alexandria, VA 22313-1450

**DECLARATION #2 OF P. TSIPOURAS AND T.P. TAFAS UNDER RULE 132****IN TRAVERSE OF CLAIM REJECTION MAILED JULY 2, 2004**

SIR:

This declaration is submitted pursuant to 37 CFR 1.132 in response to Office action mailed on July 2, 2004. This affidavit is in support of a corresponding amendment.

Reconsideration of the rejection of the Claims 1-4, 19-22, and 37 under 35 USC 102 (e) as being anticipated by US 6221607B1 (Tsipouras, et al.) (hereinafter: '607 reference) is respectfully requested.

It is averred herein in traverse of the rejection that any invention disclosed but not claimed in the '607 reference was derived from the inventive entity of this application.

110165213v1

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Respectfully submitted,

Date: November 30, 2004

Petros Tsipouras, MD

Date: November 30, 2004

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Triantafyllos P. Tafas, Ph. D.

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12/1/2004 6:00 PM FROM: Ftafas +18605298559 TO: 0019144071603 PAGE: 001 OF 002

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Date: Dec 3, 2004Hans-Peter Hoffmann  
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(Signature of Mailer)

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Respectfully submitted,

Date: November , 2004

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Petros Tsipouras, MDDate: November 30 , 2004  

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Triantafyllos P. Tafas, Ph. D.

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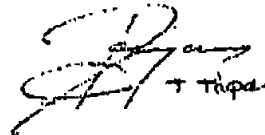
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Date: November 30, 2004

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Petros Tsipouras, MDDate: November 30, 2004

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Triantafyllos P. Tafas, Ph. D.

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